

The record and stipulations as specifically set forth in the Award of the Administrative Law Judge are herein adopted by the Appeals Board.

ISSUES

What, if any, is the nature and extent of claimant's injury and/or disability?

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Having reviewed the whole evidentiary record filed herein, and in addition the stipulations of the parties, the Appeals Board makes the following findings of fact and conclusions of law:

The Appeals Board finds that the Award of the Administrative Law Judge sets out findings of fact and conclusions of law in some detail and it is not necessary to repeat those herein. The findings and conclusions enumerated in the Award of the Administrative Law Judge are both accurate and appropriate and the Appeals Board adopts same as its own findings and conclusions as if specifically set forth herein.

The Appeals Board agrees with the Administrative Law Judge and finds the testimony of P. Brent Koprivica, M.D., to be persuasive and awards claimant a ten percent permanent partial impairment to the body as a whole resulting from claimant's chronic myofascial pain condition.

AWARD

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Award entered by Administrative Law Judge Robert H. Foerschler dated June 24, 1997, should be, and is hereby, affirmed. Claimant, Brenda S. Huffman, is granted an award against the respondent, Sam's Wholesale Club, and its insurance company, National Union Fire Insurance, for a series of accidents sustained through December 5, 1994.

As of September 18, 1997, claimant is entitled to 30.29 weeks temporary total disability compensation at the rate of \$185.83 per week in the amount of \$5,628.79 followed by 39.97 weeks permanent partial disability compensation at the rate of \$185.83 per week in the sum of \$7,427.63 for a 10% permanent partial general body disability making a total award of \$13,056.42 which is ordered paid in one lump sum minus amounts previously paid.

Future medical treatment for claimant's injuries may be awarded upon proper application to and approval by the Director.

Unauthorized medical expense in the amount of \$133 is awarded to the claimant.

The costs of the administration of the Workers Compensation Act are hereby assessed against the respondent and its insurance carrier to be paid as follows:

Hostetler & Associates, Inc.
Metropolitan Court Reporters, Inc.

\$385.40
\$313.70

IT IS SO ORDERED.

Dated this ____ day of October 1997.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Michael R. Lawless, Overland Park, KS
H. Wayne Powers, Overland Park, KS
Robert H. Foerschler, Administrative Law Judge
Philip S. Harness, Director